மாண்புமிகு சட்டமன்றத் தலைவர் : மன்றத்தின் முன் உள்ள கேள்வி :

"சட்டப் பேரவையால் நிறைவேற்றப்பட்ட தமிழ் நாடு 1972-ஆம் ஆண்டு தொழிலாளர் நல நிதி சட்ட முன்வடிவு (சட்டப் பேரவை சட்ட முன்வடிவு எண் 23/1972) நிறைவேற்றப்பட வேண்டும்".

தீர்மானம், மன்றத்தின் முடிவிற்கு விடப்பட்டு, நிறைவேற்றப் பட்டது.

(3) தமிழ் நாடு 1972 ஆம் ஆண்டு கடன் நிவாரண சட்ட முன்வடிவு (சட்டப் பேரவை சட்ட முன்வடிவு எண் 21/1972)

THE HON. THIRU O. P. RAMAN : Mr. Chairman, Sir, I beg to move—

That the Tamil Nadu Debt Relief Bill, 1972@ (L.A. Bill No. 21 of 1972), as passed by the Assembly, be taken into consideration.

As the House knows, this Bill has been brought forward to ameliorate the sufferings of the non-agriculturist low-income classes, owing to their heavy indebtedness mounting day-by-day because of the usurious rates of interest charged by the creditors.

The Joint Select Committee has considered, in detail, the provisions of the Bill and made some changes. I may mention the following which are among the important changes made :—

(i) Having regard to the prevailing rates of interest in the Co-operative and banking sectors, the rate of interest has been fixed at 9 per cent, instead of 6¼ per cent per annum.

(ii) Sub-clause (3) cf clause 2 sought to make income-tax assessees' ineligible for the benefit of the Act if the assessee's annual income tax was more than Rs. 7,200 and other persons so ineligigle, if the person was assessed to Agricultural income-tax on an annual agricultural income of more than Rs. 7,200.

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Now, all income-tax assessees; those who are assessed to profession tax on a half-yearly income of more than Rs. 1,200; and the agriculturists as defined in the Tamil Nadu Agriculturists Relief Act are also not to be made eligible for the benefits of the Act.

(iii) The Bill sought to distinguish between the debts incurred before the 1st October 1971 and those incurred after the 1st October 1971. The Committee decided to do away with the distinction.

(iv) The Committee decided to delete sub-clause (i) clause 6 of the Bill which sought to wipe out all the arrears of interest outstanding on the 1st October 1971.

(v) Sub-clause 10 (a) of clause 8 sought to deprive the transferee from the original mortgagor and the transferee from the heirs of the original mortgagor, from the benefits of the Act. The Committee decided that the clause is unnecessary.

Sir, I request the House to accept the motion.

மாண்புமிகு சட்ட மன்றத் தலைவர்: முன் மொழியப்பட்ட தீர்மானம்:

"சட்டப் பேரவையால் நிறைவேற்றப்பட்ட தமிழ் நாடு 1972 ஆம் ஆண்டு, கடன் நிவாரண சட்ட முன்வடிவு (சட்டப் பேரவை சட்ட முன்வடிவு எண் 21/1972) ஆய்வுக்கு எடுத்துக் கொள்ளப்பட வேண்டும்".

THIRU A. R. DAMODARAN: Unlike the tenancy arrears write off Bill, which I could not find possible to support, I wholeheartedly support this measure which has been brought to benefit a particular class of people who may be suffering because of debt accumulation by way of interest, etc. But some of the provisions in this Bill, I am not able to appreciate, particularly the one relating to the exemption granted to the debtor, if he is assessed to profession tax on behalf yearly income of more than Rs. 1,200 derived from professions other than agriculture. Sir, limiting it to persons who are earning only Rs. 1,200 per half year, narrows down the class of debtory considerably, who benefit from this measure. I am sorry that the Select Committee did not find it possible to make it little more liberal so that the income could have been defined as Rs. 2,400 per half year. This should follow, because the first exemption relating to those who are not income tax-assessees, is now Rs. 5,000 per

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annum--those who need not pay income-tax. I think it should have followed. But even persons who are earning Rs. 2,400 for a half year or 4,800 per year are approximately Rs. 400 per month should have been provided relief under this Act. Except the salaried other people may not furnish the true figures of their income and may find loopholes to escape. Unfortunately, the benefit of this measure would not come to large sections of salaried persons. Considering even the Government servants, I think only Class IV, as they are called, would benefit by this measure because practically every L.D.C. or U.D.C., is earning more than Rs. 200 per month and I am, therefore, of the view that this should have been made a little more liberal and that persons earning Rs. 4,800 per annum should have been exempted and should have been given relief under this Act. The other thing is that certain debts and liabilities are not to be affected by this measure. It is mentioned in section 3 of this Act, ' Nothing in this Act shall affect debts and liabilities of any debtor falling under the following heads, namely, (a) revenue, tax or cess payable to the Central Government or any other sum due to them by way of loan or otherwise, (*b*) any revenue, tax or cess payable to the Central Government or any other sum due to them, by way of loan or otherwise; (*c*) any tax or cess payable to any local authority or any other sum due to them by way of loan or otherwise; and clause (*d*) is a significant clause, Sir, and it is ' any liability in respect of any sum due to any co-operative society including a land development bank registered or deemed to be registered under the Tamil Nadu Co-operative Societies Act, 1961, and other clauses or any liability due to Bank, State Bank or other Bank under the banking Companies (Acquisition and Transfer of Undertakings) Act ', Sir. I cannot understand all these exemptions because as I said, it is not in an irresponsible manner that I say that these should not have been put into the Act itself, because what we are considering to-day is not the writing off of all debts. It is impossible to write off a Government debt or a co-operative debt or a bank debt because that would mean a collapse of the institution. But this Bill relates to scaling down of debts. It clearly stated this. If they have borrowed one hundred rupees and if they have paid Rs. 200 by way of principal or interest or both, such persons need not pay the principal amount. Why should we exempt Co-operative Land Development Banks from this provision? I remember a discussion that took place in the Select Committee where the

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Hon. Minister for Law in one of the arguments advanced said that this was a Bill purely to consider the benefits that could accrue to the debtor class, those who earned below Rs. 1,200 per half year, as defined in Act or those who were not income-tax assessees. How does the nature of a creditor enter into the consideration in trying to give relief to this class of people? Sir, if we are sincere.

மாண்புமிகு திரு. செ. மாதவன் : கிரடிடாரைத்தான் பாதிக்கும், அவர்களுக்கு நன்மை செய்தால். மாண்புமிகு உறுப்பினர் சொல்லுவது double benefit அந்த ஒரு principle க்குத்தான் பொருத்தமாக இருக்கும். பல நன்மைகளைக் கொடுத்து இருக்கிறோம்.

Even for future they have been given a right for scaling down. So if you want that to apply to a co-operative loan or bank loan which is public money, to that extent they will suffer.

THIRU A. R. DAMODARAN : Sir, as far as the Co-operative Banks and State Banks are concerned, if it is to be made applicable for future debts also, the interest that is paid to these institutions could have been safeguarded by putting a separate rate of interest payable to these institutions. This Bill is really meant to protect the poor debtors who earn below Rs. 200 per month and who have obtained money from private money-lenders or from any institutions for a certain rate of interest and, therefore, if you consider this class of persons, as being weak and as necessary of being supported by such a measure, I am not able to appreciate, in spite of the explanation, why Co-operative Land Development Banks, etc., should be excluded. Let me illustrate, Sir. Supposing a person 'A' has borrowed Rs. 500 from a Land Development Bank about 15 years ago and he has paid the interest to the Land Development Bank for 15 years and the interest that he has paid for the past 15 years has amounted to thousand rupees, my contention is that even that debt should be written off if these institutions have waited for 15 years for the collection of debt. It is not going to be very much, Sir, because the number of persons who borrow from such institutions like banks—I do not know whether the State Bank is lending to Class IV Officers—will be insignificant and practically

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this is a non-existing provision. Even if there should be some unfortunate cases, I think this Bill should have been liberal as far as the scaling down of the debt is concerned and should have been made applicable even to the borrowings from co-operative institutions. Thank you, Sir.

MR. CHAIRMAN: The hon. Member, Thiru G. Swaminathan may speak tomorrow. The House will now adjourn and meet again at 4 p.m. tomorrow.

The House then adjourned.

7. மன்றத்தின் முன் வைக்கப்பட்ட ஏடுகள்.

A. Statutory Rules and Orders.

231. Annual Financial Statement for 1972–73 and Supplementary Financial Statement for 1971–72 of the Tamil Nadu Electricity Board. [Laid on the table of the House under sub-section (1) of section 61 of the Electricity (Supply) Act, 1948 (Central Act 54 of 1948].

232. Audit Report on the Annual Accounts of the Tamil Nadu Electricity Board for the year 1970–71. [Laid on the table of the House under section 69 (5) of the Electricity (Supply) Act, 1948 (Central Act 54 of 1948)].

233. 14th Annual Administration Report of the Tamil Nadu Electricity Board for the year 1970–71. [Laid on the table of the House under section 79 (1) (A) of the Electricity (Supply) Act, 1948 (Central Act 54 of 1948).]

B. Reports, Notifications and Other Papers.

67. Booklet containing the name of towns, villages and hamlets electrified with street lights entitled "ஊரெல்லாம் ஒளி மயம்"

68. Answers to Unstarred Questions Nos. 1 to 23.